

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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WILLIAM SHAW,

Plaintiff,

v.

Case No. 20-C-483

ROBERT MCQUEENEY,

Defendant.

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**ORDER**

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Plaintiff William Shaw is proceeding on a claim that defendant Robert McQueeney violated his civil rights by repeatedly ignoring his requests for treatment for drug withdrawal symptoms. Dkt. No. 7. On October 29, 2020, the Court entered a Scheduling Order setting deadlines for discovery and dispositive motions. Dkt. No. 24. About a month or so later, on December 10, 2020, the defendant filed a motion to compel discovery, along with documentation showing that defense counsel attempted to confer with Shaw before filing the motion. Dkt. Nos. 25–26. The defendant asks the Court to order Shaw to (1) respond to his First Request for Production of Documents; and (2) sign and return an attached authorization giving the defendant access to Shaw’s medical care records, treatment records, and grievance history between February 15, 2017, and the present. *See* Dkt. No. 25; Dkt. No. 26, ¶¶ 5–6; *see also* Dkt. No. 26-1 at 4–7.

Shaw did not file an opposition to the motion to compel. Instead, on January 4, 2021, he filed a document entitled “response to defendant’s request for production of document.” Dkt. No. 40. This 16-page document is somewhat responsive to the defendant’s First Request for

Production of Documents. The defendant may renew his motion if he believes a further response to their request is required. Shaw did not include the signed authorization, however. *See id.*

Shaw has placed his medical condition and grievance history at issue by bringing this lawsuit; thus, the Court is satisfied that the defendant is entitled to access the records he seeks. Accordingly, the Court will grant the defendant's motion to compel. Shaw must sign and return to defense counsel the requested authorization, *see* Dkt. No. 26-1 at 4–7, within fourteen days of service of this order. Failure to comply with this order may result in dismissal of this case for failure to prosecute.

**IT IS THEREFORE ORDERED** that the defendant's motion to compel (Dkt. No. 25) is **GRANTED**. Shaw must sign and return to defense counsel the requested authorization, *see* Dkt. No. 26-1 at 4–7, **within fourteen days** of service of this order. Failure to comply with this order may result in dismissal of this case for failure to prosecute. The defendant shall promptly notify the Court if he does not receive a signed authorization from Shaw.

Dated at Green Bay, Wisconsin this 13th day of January, 2021.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge